

**CITY OF CENTRAL, COLORADO
ORDINANCE 13-05**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL,
COLORADO AMENDING CERTAIN PROVISIONS OF CHAPTER 13 OF THE
MUNICIPAL CODE CONCERNING MUNICIPAL UTILITIES; SPECIFICALLY
REGULATIONS PERTAINING TO THE CITY WATER SYSTEM**

WHEREAS, the City of Central (“City”) is authorized under its home rule charter and Title 31 of the Colorado Revised Statutes to adopt and amend ordinances in furtherance of governmental administration and the City’s police powers; and

WHEREAS, the City Council previously codified the ordinances of the City via Ordinance No. 94-3 into the Municipal Code; and

WHEREAS, on August 7, 2012, the City Council adopted Ordinance No. 12-08, which Ordinance revised Chapter 13 of the Municipal Code, specifically regulations pertaining to the City water system; and

WHEREAS, additional minor revisions to Chapter 13 are required in order to reflect current City practices and policies; and

WHEREAS, the City Council considered the revisions to Chapter 13 of the Municipal Code set forth in this Ordinance No. 13-05 in a Council study session on March 19, 2013; and

WHEREAS, City Council conducted a public hearing, with proper notice provided, to consider adoption of this Ordinance as required by law; and

**BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF CENTRAL,
COLORADO THAT:**

Section 1. Section 13-2 of the Central City Municipal Code (titled “Definitions”) is hereby amended to add a new defined term to read as follows:

Corporation stop or saddle/corporation stop. A valve and related appurtenances connecting the service line to the water main and used to stop the flow of water during installation or maintenance of the service line.

The code codifier is directed to insert the above defined term after the term “*Contractor*” and before the term “*Customer or owner*” in Section 13-2.

Section 2. The following sections and subsections of Chapter 13 of the Central City Municipal Code are hereby amended to read as follows, with strike through to show deleted text and underline to show new text:

Sec. 13-111. Service lines.

(a) Construction. Separate and independent service lines, together with the tap, the saddle/corporation stop, and the extension from it to the water meter, shall be

designed, installed and constructed by the customer at the customer's sole cost and expense for every improvement requiring water service. Such service lines and any other water facilities located on the licensed premises shall be designed in accordance with the design standards and shall be installed and constructed in accordance with plans and designs approved by the City.

(b) Ownership, maintenance. Service lines, from the corporation stop to the licensed premises, are owned solely by the customer. Subject only to the provisions of Section 13-112 below, the customer shall be exclusively responsible for maintaining, repairing and replacing all plumbing fixtures; and water-using appliances and pipes within the licensed premises, including and the service line from the corporation stop to the licensed premises, on the customer's side of the curb stop box. The customer shall cause any and all leaks or other nonconformities in the customer's privately owned facilities to be repaired promptly at the customer's sole expense. The customer shall further ensure that the meter pit or curb stop box and the water shut off from the main on the customer's service line is free from any materials which may obstruct or hinder access thereto by authorized personnel. The City may repair or otherwise cure any violation of this Subsection and charge the customer the costs thereof as provided in this Chapter, but nothing in this Section shall obligate the City to effect any repairs or curative work on the customer's service line.

Sec. 13-112. Water meters.

(d) Maintenance. In order to provide for the accurate measurement of water through each meter, the City maintains all meters which are read for billing purposes against ordinary wear and tear. Meters in need of maintenance, testing or replacement because of obsolescence or normal wear and tear will be removed and replaced with a properly maintained and tested meter of corresponding size and type. The cost of meter repair or testing, as well as the purchase of replacement meters, shall be borne entirely by the owner. Installation, removal and associated costs shall be borne entirely by the owner. Removal and repair of water meters shall be performed only by the City.

Sec. 13-143. Lost water charge.

Water losses attributed to service lines located between the ~~corporation stop~~curb stop box and the water meter, including but not limited to water losses attributable to service line freeze/breaks, broken irrigation lines, or inadequately protected service lines, will be estimated by the Public Works Department and the consumption charge therefor will be billed to the customer. Whenever the City, at the request of a customer, shuts off water at a premises in order to prevent additional or further water losses, a charge in an amount set forth in the City's fee schedule shall be assessed. Said estimation shall be made using the American Waterworks Association guidelines, or such other formulas as may be approved by the City.

Section 3. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect,

impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 4. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 5. Effective Date. This Ordinance shall become effective immediately following publication, public hearing and the approval of City Council following second reading in accordance with Sections 5.9 and 5.10 of the City Charter.

INTRODUCED AND READ by title only on first reading at the regular meeting of the City Council of the City of Central on the 19th day of March, 2013, at Central City, Colorado.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

Approved as to form:

Marcus McAskin, City Attorney

ATTEST:

Reba Bechtel, City Clerk

PASSED AND ADOPTED on second reading, at the regular meeting of the City Council of the City of Central on the 2nd day of April, 2013.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel, City Clerk

POSTED IN FULL AND PUBLISHED BY TITLE AND SUMMARY in the Weekly Register Call newspaper on March 21, 2013.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on April 11, 2013.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel City Clerk